

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for managing investment portfolios using a computer, the method comprising:

identifying at least one investment portfolio security to be sold in connection with a rebalancing of the investment portfolio;

randomly allocating, using the computer, the at least one investment portfolio security to at least one of a plurality of tax lots associated with the at least one investment portfolio security to be sold;

computing, with the computer, an implied total short-term capital gain or loss that would result from the sale of the at least one investment security from the at least one tax lot; and

rebalancing, using the computer, the investment portfolio if any of the short-term capital gain or loss, which would result from the rebalancing of the investment portfolio, falls within a threshold for short-term capital gains or losses, and not rebalancing the investment portfolio if any of the short-term capital gain or loss does not fall within the threshold.

2. (Original) The method of claim 1, wherein the at least one security to be sold is identified based on a difference between securities in the investment portfolio and a target portfolio.

3. (Cancelled)

4. (Original) The method of claim 1, comprising identifying a plurality of securities to be sold in connection with the rebalancing of the investment portfolio based on a difference between securities in the investment portfolio and a target portfolio.

5. (Original) The method of claim 4, wherein the plurality of securities to be sold are identified by allocating the securities to be sold to at least one tax lot associated with the securities to be sold and computing an implied total short-term capital gain or loss that would result from the sale of the plurality of securities from the at least one tax lot.

6. (Original) The method of claim 5, wherein the plurality of securities to be sold are allocated to at least one tax lot associated with the securities to be sold based on at least one allocation strategy selected from the group consisting of:
- allocating the securities to be sold beginning with an earlier tax lot of a plurality of tax lots and proceeding to a later tax lot; and
  - allocating the securities to be sold beginning with a tax lot of a plurality of tax lots having a higher cost basis and proceeding to a tax lot with a lower cost basis.
7. (Original) The method of claim 5, wherein the plurality of securities to be sold are allocated randomly to a plurality of tax lots.
8. (Original) The method of claim 1, comprising identifying a plurality of securities to be sold in connection with the rebalancing of the investment portfolio based on a difference between securities in the investment portfolio and a target portfolio, the plurality of securities identified by allocating randomly, a plurality of times, the securities to be sold to a plurality of tax lots associated with the securities to be sold, computing an implied total short-term capital gain or loss that would result from the sale of the plurality of securities to be sold in accordance with each of the random allocations, and selecting from the plurality of random allocations one of the allocation that results in the smallest implied short-term capital gain or loss, and the allocation that most closely matches a pre-set targeted short-term capital gain or loss.
9. (Currently Amended) The method of claim 1, comprising rebalancing the investment portfolio if a total short-term capital gain or loss for the year, which would result from the rebalancing of the investment portfolio, falls within a threshold for short-term capital gains or losses, and not rebalancing the investment portfolio if the total short-term capital gain or loss for the year does not fall within the threshold.
10. (Previously Presented) The method of claim 9, wherein the threshold for short-term capital gains or losses is about 2% of the value of investment portfolio's assets.

11. (Previously Presented) The method of claim 9, wherein the threshold for short-term capital gains or losses is defined by an investor.

12. (Currently Amended) A method for managing investment portfolios using a computer, the method comprising:

determining, using the computer, a difference between securities in the investment portfolio and a target portfolio;

identifying, with the computer, a plurality of securities to be sold based on the determined difference;

allocating randomly, using the computer, a plurality of times, the securities to be sold to a plurality of tax lots associated with the securities to be sold;

computing, with the computer, an implied total short-term capital gain or loss that would result from the sale of the plurality of securities to be sold in accordance with each of the random allocations;

selecting, by the computer, from the plurality of random allocations the allocation that results in the smallest implied short-term capital gain or loss; and

rebalancing, by the computer, the investment portfolio if any of the implied short-term capital gain or loss for the selected random allocation falls within a threshold for short-term capital gains or losses, and not rebalancing the investment portfolio if any of the short-term capital gain or loss does not fall within the threshold.

13. (Currently Amended) A system for managing investment portfolios comprising at least one computing device having software associated therewith that when executed performs a method comprising:

identifying at least one investment portfolio security to be sold in connection with a rebalancing of the investment portfolio;

randomly allocating the at least one investment portfolio security to at least one of a plurality of tax lots associated with the at least one investment portfolio security to be sold;

computing an implied total short-term capital gain or loss that would result from the sale of the at least one investment security from the at least one tax lot; and

rebalancing the investment portfolio if the short-term capital gain or loss, which would result from the rebalancing of the investment portfolio, falls within a threshold for

short-term capital gains or losses, and not rebalancing the investment portfolio if the short-term capital gain or loss does not fall within the threshold.

14. (Original) The system of claim 13, wherein the method comprises identifying a plurality of securities to be sold in connection with the rebalancing of the investment portfolio based on a difference between securities in the investment portfolio and a target portfolio.
15. (Original) The system of claim 14, wherein the plurality of securities to be sold are identified by allocating the securities to be sold to at least one tax lot associated with the securities to be sold and computing an implied total short-term capital gain or loss that would result from the sale of the plurality of securities to be sold from the at least one tax lot.
16. (Original) The system of claim 15, wherein the plurality of securities to be sold are allocated to at least one tax lot associated with the securities to be sold based on at least one allocation strategy selected from the group consisting of:
- allocating the securities to be sold beginning with an earlier tax lot of a plurality of tax lots and proceeding to a later tax lot; and
  - allocating the securities to be sold beginning with a tax lot of a plurality of tax lots having a higher cost basis and proceeding to a tax lot with a lower cost basis.
17. (Original) The system of claim 15, wherein the plurality of securities to be sold are allocated randomly to a plurality of tax lots.
18. (Original) The system of claim 13, wherein the method comprises identifying a plurality of securities to be sold in connection with the rebalancing of the investment portfolio based on a difference between securities in the investment portfolio and a target portfolio, the plurality of securities identified by allocating randomly, a plurality of times, the securities to be sold to a plurality of tax lots associated with the securities to be sold, computing an implied total short-term capital gain or loss that would result from the sale of the plurality of securities to be sold in accordance with each of the random allocations, and selecting from the plurality of random allocations the allocation that results in the smallest implied short-term capital gain or loss.

19. (Currently Amended) The system of claim 13, wherein the method comprises rebalancing the investment portfolio if a total short-term capital gain or loss for the year, which would result from the rebalancing of the investment portfolio, falls with a threshold for short-term capital gains or losses, and not rebalancing the investment portfolio if the total short-term capital gain or loss for the year does not fall within the threshold.

20. (Original) The system of claim 13, wherein the threshold for short-term capital gains or losses is about 2% of the value of investment portfolio's assets.

21. (Original) The system of claim 13, wherein the threshold for short-term capital gains or losses is defined by an investor.

22. (Currently Amended) A system for managing investment portfolios comprising at least one computing device having software associated therewith that when executed performs a method comprising:

determining a difference between securities in the investment portfolio and a target portfolio;

identifying a plurality of securities to be sold based on the determined difference; allocating randomly, a plurality of times, the securities to be sold to a plurality of tax lots associated with the securities to be sold;

computing an implied total short-term capital gain or loss that would result from the sale of the plurality of securities to be sold in accordance with each of the random allocations;

selecting from the plurality of random allocations the allocation that results in the smallest implied short-term capital gain or loss; and

rebalancing the investment portfolio if the implied short-term capital gain or loss for the selected random allocation falls within a threshold for short-term capital gains or losses, and not rebalancing the investment portfolio if the implied short-term capital gain or loss does not fall within the threshold.

23. (Previously Presented) The method of claim 1, wherein the short-term capital gain or losses which would result from the rebalancing of the investment portfolio is computed as a

sum of the short-term gain or losses of each of the at least one investment portfolio security to be sold in connection with a rebalancing of the investment portfolio.

24. (Previously Presented) The system of claim 13, wherein the short-term capital gain or losses which would result from the rebalancing of the investment portfolio is computed as a sum of the short-term gain or losses of each of the at least one investment portfolio security to be sold in connection with a rebalancing of the investment portfolio.